



*A publication of Fairfax County, Virginia*



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## **CODE COMPLIANCE GUIDELINE**

# **OPEN-FLAME COOKING DEVICES**

### **OUTDOOR BARBEQUE GRILLS & CHARCOAL BURNERS**

## **SCOPE**

This publication provides detailed information about fire prevention regulations prohibiting the use and storage of outdoor barbeque grills, charcoal burners, and open-flame cooking devices on balconies and decks, in locations associated with multi-family residential occupancies, and within 15 feet of all combustible construction in Fairfax County and the towns of Clifton, Herndon, and Vienna. This publication does not address bonfires, controlled burning, recreational fires, or outdoor solid fuel burning devices.

## **OVERVIEW**

The intent of this publication is to provide information to help prevent unwanted fires resulting from the unlawful or unsafe use of outdoor barbeque grills, charcoal burners, and open-flame cooking devices. In addition to addressing the regulations about the prohibited use and storage of these devices, the fire safety requirements and precautions related to the use of outdoor barbeque grills, charcoal burners, and open-flame cooking devices, as well as fire safety tips for outdoor grilling, are provided.

Questions about the content of this publication should be directed to the Fire Inspections Branch at **703-246-4849, TTY 711** during normal business hours, Monday through Friday, 8:00 a.m. to 4:30 p.m.

## **PROHIBITED USE & STORAGE**

In accordance with Section 308.3.1 of the Fire Prevention Code (as amended by Fairfax County), charcoal burners and other open-flame cooking devices fueled by combustible or flammable gases, liquids, and solids shall not be operated or stored on a balcony or deck of any structure or within 15 feet of combustible construction or residential occupancy.

Exceptions:

1. Detached one- and two-family dwellings and townhouses.
2. Cooking devices using electricity as a heating source and listed by a recognized testing authority.

## **NOTIFICATION OF TENANTS**

In accordance with Section 308.3.1.1 of the Fire Prevention Code (as amended by Fairfax County), the management of multi-family residential occupancies which have balconies, decks, or patios shall notify their tenants in writing of the prohibitions outlined in section 308.3.1 of this code when the tenant or occupant initially occupies the building and periodically thereafter as may be necessary to ensure compliance.

## **QUESTIONS & ANSWERS**

### **Q: Why have rules and regulations?**

**A:** The reason for these regulations is to reduce the risk of a structure fire, personal injury, loss of life, and the unneeded displacement of building occupants because of the use or misuse of charcoal burners and other open-flame cooking devices on balconies and decks, in locations associated with multi-family residential occupancies, and within 15 feet of combustible construction. Some of the hazards caused by the use or misuse of barbeque grills, charcoal burners, and open-flame cooking devices include grill fires from propane (LPG) gas leaks, petroleum or grease-based flash fires, or hot ember ignition of adjacent combustible materials such as wooden decks and vinyl siding.

### **Q: What's a Townhouse?**

**A:** A townhouse is an attached single-family dwelling two to four stories in height having a two-hour fire (party) wall between it and the directly adjoining structure(s). Furthermore, a stacked townhouse or similar multi-level residential structure having horizontal (floor-ceiling) tenant separation between lower and upper level dwelling units or commercial occupancies is not considered a townhouse and would therefore be classified as a multi-family residential occupancy.

### **Q: What's a Multi-family Residential Occupancy?**

**A:** A multi-family residential occupancy is a residential structure other than a detached one- and two-family dwelling and townhouse regardless of the form of ownership (i.e., condominium, cooperative, rental, etc.). These include occupancies in Groups R-1, R-2, and R-4 such as apartment buildings, multi-unit condominiums, boarding houses, hotels, motels, dormitories, group homes, and residential care/assisted living facilities.

### **Q: Can I use an outdoor grill at my apartment building or multi-unit condominium?**

**A:** Residents of apartment buildings, multi-unit condominiums, and other multi-family residential occupancies who want to use barbeque grills, charcoal burners, or open-flame cooking devices outdoors must take certain precautions and understand the legal requirements and prohibitions relating to this activity. With exception of cooking devices using electricity as a heating source and listed by a recognized testing authority, the use of barbeque grills, charcoal burners, and open-flame cooking devices on balconies and decks or within 15 feet of multi-family residential occupancies is against the law.

### **Q: Should I grill on or under the balcony or deck attached to my house?**

**A:** The Fairfax County Fire Marshal strongly discourages the practice of igniting and operating barbeque grills and open-flame cooking devices on, under, or within 15 feet of combustible decks and balconies attached to townhouses, duplexes, and single-family dwellings. This recommendation is made in an effort to prevent the occurrence of unwanted fire spread into dwellings from the use of these cooking devices.

### **Q: How far should I grill from my house?**

**A:** *Greater than 15 feet away from the house and deck.* When a barbeque grill or open-flame cooking device is ignited and operated on the combustible deck, balcony, or similar location attached to a townhouse, duplex, or single-family dwelling contrary to the recommendation of the Fire Marshal, a minimum separation distance of 15 feet should be maintained from any portion of the dwelling. This recommendation is made in an effort to limit the exposure to the dwelling to prevent unwanted fire spread when the cooking device is operated should an accident occur.

## **FIRE SAFETY REQUIREMENTS**

1. **Burning of Refuse Prohibited.** The burning of refuse in a barbeque grill or open-flame cooking device is not an approved method for refuse disposal and is prohibited anywhere in Fairfax County and the towns of Clifton, Herndon, and Vienna. Refuse shall mean and include garbage, rubbish, and trade waste defined as follows:
  - Garbage shall mean animal and vegetable matter such as that originating in houses, kitchens, restaurants and hotels, produce markets, food service or processing establishments, greenhouses, and hospitals, clinics or veterinary facilities.
  - Rubbish shall mean solids not considered to be highly flammable or explosive such as, but not limited to, rags, old clothes, leather, rubber, carpets, wood, excelsior, paper, ashes, tree branches, yard trimmings, furniture, metal food containers, glass, crockery, masonry, and other similar materials.
  - Trade waste shall mean all solid or liquid material resulting from construction, building operations, or the prosecution of any business, trade or industry such as, but not limited to, plastic products, cinders and other forms of solid or liquid waste materials.
2. **Materials Producing Dense Smoke Prohibited.** The burning of rubber, asphaltic materials, combustible and flammable liquids, impregnated wood or similar materials which produce dense smoke is considered objectionable, a hazard and nuisance to the community, and is strictly prohibited.
3. **Endangering Persons or Property Prohibited.** In accordance with Section 307 of the Fire Prevention Code (as amended by Fairfax County), no person shall kindle, authorize to be kindled, or maintain any permitted fire in such a manner that will endanger the property of another. Furthermore, if any person shall carelessly or negligently set fire to, burn or cause to be burned any property, either real or personal, whether the property be his or that of another, he shall be subject to the penalties set forth in Section 62-1-1 of the Fairfax County Code. Barbeque grills, charcoal burners, and open-flame cooking devices used in a hazardous manner contrary to manufactures' instructions and limitations for proper/safe operation may violate the Fire Prevention Code.
4. **Allowable Fuel.** Only solid-fuel materials approved by the manufacturer are permitted to be used in a particular barbeque grill, charcoal burner, or open-flame cooking device, and must be used in accordance with the manufacturers' instructions, limitations, or safety guidelines. Devices using portable liquefied petroleum gas cylinders must be safely used per the manufacturers' instructions.
5. **Quantity of Fuel.** Do not overload the burn chamber or firebox of any barbeque grill, charcoal burner, or open-flame cooking device with too much fuel such as charcoal or wood. Make a fire that fits your cooking device. Use only the quantity of allowable fuel the device is designed to hold in accordance with the manufacturers' instructions, limitations, or safety guidelines. A fire that is too large or too hot not only wastes fuel, but can damage the device and cause a hazardous fire condition.
6. **Use Combustible & Flammable Liquids.** Combustible and flammable liquids should not be used to aid the ignition of fuel contained within a barbeque grill or open-flame cooking device. However, charcoal lighter/starter fluid can be used to start a cooking fire in a barbeque grill using charcoal as a fuel provided the starter fluid is used sparingly, never

applied directly onto flames, and dispensed and used in accordance with manufacturers' instructions, limitations, or safety guidelines. The inappropriate use of combustible and flammable liquids may result in a serious fire hazard possibly endangering other property which may violate the Fire Prevention Code.

7. **Extinguishing Equipment.** A portable fire extinguisher with a minimum rating of 2A:20B:C should be readily available near the location of the barbeque grill or cooking device.
8. **Attendance.** Cooking fires should be constantly attended. When using solid-fuel materials such as charcoal or wood, make sure the fire is completely extinguished after use. Moreover, do not leave smoldering fires unattended and ensure all hot ashes, cinders, and smoldering coals are properly and safely disposed of before storing the cooking device, going to bed, or leaving the house. When using liquefied petroleum gas fueled cooking devices, be sure to shut off the gas supply at the tank valve after use.

## **DISPOSAL OF ASHES & EMBERS**

**Ashes & Embers Can Cause Unwanted Fires.** One of the most common causes of fire involving barbeques is improper ash disposal. Often homeowners who want to clean the kettle out the night that they cook will place ashes in a paper or plastic container. Putting hot ashes in such containers will almost always start a fire. The best way to prevent such fires is to wait a minimum of 24 hours before disposing of ashes in any container. This will allow for all embers to be extinguished. Wetting the ashes is a fool proof way of extinguishing embers.

**Safe Disposal.** Dispose of all hot ashes in a safe manner. After 24 hours has passed, all leftover hot ash material must be thoroughly dampened, cooled, and stored in a metal can that is used solely for ash storage. Ashes that are two or three days old may appear to be safe, but can still retain enough heat to cause an unwanted fire. Do not discard hot ashes in a compost pile, paper bag, cardboard box or anything that is combustible. Also, be careful in handling partially burned wood. The wood may still be smoldering and cause a serious burn.

**It's the Law!** In accordance with Section 305.2 of the Fire Prevention Code, hot ashes, cinders, or smoldering coals shall not be deposited in any combustible receptacle and shall not be placed within 10 feet of other combustible material including combustible walls and partitions or within 2 feet of openings to buildings. It's the law!

**Get More Information.** For additional information about the proper and safe disposal of hot ashes and embers, refer to the Fire & Rescue Department's "Can Your Ashes" publication. This publication is available online at [www.fairfaxcounty.gov/fr/download/canyourashes.pdf](http://www.fairfaxcounty.gov/fr/download/canyourashes.pdf)

## **SAFETY TIPS FOR OUTDOOR GRILLING**

- While cooking, place the grill at least 15 feet away from combustible materials including wood and vinyl siding and decking. Staying with the grill may not prevent a fire but will allow you to locate any problems quickly. Also specific types of grills, such as Hibachis, need to be placed on noncombustible surfaces while in operation.
- Gas and charcoal grills must only be used outdoors. If used indoors, or in any enclosed spaces, such as tents, they pose both a fire hazard and risks of exposing occupants to toxic gases and potential asphyxiation. Position the grill well away from siding, deck railings and out from under eaves and overhanging branches.

- Place grills a safe distance from lawn games, play areas, and foot traffic.
- Declare a three-foot "safe zone" around the grill to keep children and pets away.
- Put out several long-handled grilling tools to give the chef plenty of clearance from heat and flames when flipping burgers and managing food on the grill.
- Periodically remove grease or fat buildup in trays below the grill so it cannot be ignited by a hot grill.
- For charcoal grills, purchase the proper starter fluid and store the container out of reach of children and away from heat sources.
- For charcoal grills, never add charcoal starter fluid when the cooking has already been ignited, and never use any flammable/combustible liquid other than charcoal starter fluid to get the fire going.
- Charcoal has been known to cause fires without a direct ignition source. Though rare, charcoal briquettes can self ignite in some conditions. These self igniting instances occur when briquettes get wet and then dry which changes the molecular make up of the briquette causing a hazardous condition. Preventative measures include storing charcoal in a temperature controlled storage area or in the barbeque itself. Placing charcoal in the barbeque might not prevent a fire, but it will provide the fire with a place to burn that is designed to withstand the temperatures of a fire.
- For gas grills, check the gas cylinder hose for leaks before using it for the first time each year. A light soap and water solution applied to the hose will quickly reveal escaping propane by releasing bubbles. If you determine your grill has a gas leak, by smell or the soapy-bubble test, and there is no flame:
  1. Turn off the gas tank and grill.
  2. If the leak stops, get the grill serviced by a professional before using it again.
  3. If the leak does not stop, call 911.
- If you smell gas while cooking, immediately get away from the grill and call 911. Do not attempt to move the grill.
- All gas cylinders manufactured after April 2002 must have overfill protection devices (OPD). These devices shut off the flow of gas before capacity is reached, limiting the potential for release of propane gas if the cylinder heats up. They are easily identified by their triangular-shaped hand wheel.
- Use only equipment bearing the mark of an independent testing laboratory. Follow the manufacturers' instructions on how to set up the grill and maintain it.
- Never store propane gas cylinders in buildings or garages. If you store a gas grill inside during the winter, disconnect the cylinder and leave it outside.

If you have any questions regarding the prohibited use of barbeque grills and open-flame cooking devices on balconies and decks, in locations associated with multi-family residential occupancies, and within 15 feet of all combustible construction, please contact the Fire Inspections Branch at **703-246-4849**, **TTY 711** during normal business hours, Monday through Friday, 8:00 a.m. to 4:30 p.m.

Fairfax County is committed to a policy of non-discrimination in all county programs, services, and activities. Upon request, the Office of the Fire Marshal can provide documents and publications in alternative formats and in different languages. Please call 703-246-4753 (TTY: 711 or 1-800-828-1120) or write us at the following address: Office of the Fire Marshal, 10700 Page Avenue, Fairfax, VA 22030. Allow at least seven to ten working days for preparation of material.